

TENTATIVE RULINGS

CIVIL / FAMILY LAW CASE MANAGEMENT CALENDAR

For: 9/22/2008 Monday Dept: 1A

(Posted 9/18/08)

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Any party objecting to the tentative ruling should promptly notify the opposing party of the substance of the objection with sufficient time to allow all parties, or their attorneys of record, to appear in person or by telephone at the scheduled hearing. Absent objection, the Court routinely adopts the tentative ruling as posted. Failures to appear, absent an order to appear, are deemed consent to the tentative ruling.

1. **1:00 PM** Case: CF6991 [M] BASS & SONS v REDENBAUGH
Type: BREACH OF CONTRACT Date Filed: 01/03/06
Event: FURTHER CASE MANAGEMENT CONF-CIVIL

PLF/XD: BASS & SONS CONSTRUCTION AND WAST ATTY: CHAVEZ-OCHOA LAW OFFICES INC.
Service Date/Type: 00/00/00 Answer Date: 03/02/06
DEF/XC: REDENBAUGH CONSTRUCTION ATTY: TRIEBSCHE & FRAMPTON
Service Date/Type: 01/20/06 S/M Answer Date: 02/14/06
DEF/XC: REDENBAUGH, SCOTT ATTY: TRIEBSCHE & FRAMPTON
Service Date/Type: 01/20/06 S/M Answer Date: 02/14/06
DBA: REDENBAUGH CONSTRUCTION
DEF/XC: REDENBAUGH, NICKOLAUS MILES ATTY: TRIEBSCHE & FRAMPTON
Service Date/Type: 01/13/06 PRS Answer Date: 02/14/06
DBA: REDENBAUGH CONSTRUCTION
X-DEFT POOLE, MATT ATTY: WILLIAMS, CHRISTOPHER D. ESQ
Service Date/Type: 12/27/07 PER Answer Date: 02/20/08
X-DEFT PETERS, ROBIN ATTY: GRATHWOHL RAUCH & COHEN PC
Service Date/Type: 12/28/07 SUB Answer Date: 02/20/08
X-DEFT BETA ENGINEERING INC ATTY: WILLIAMS, CHRISTOPHER D. ESQ
Service Date/Type: 01/17/08 PER Answer Date: 02/20/08

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all cross-defendants have filed responsive pleadings, cross-complainant is ordered to file defaults or dismissals of all cross-defendants. Failure to comply with this order shall result in severance of the cross-complaint and trial setting on the complaint alone. The CMC is set for Dept 1A at 1:00 PM on 11/17/08.

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2. 1:00 PM Case: CF7756 [M] PERSOLVE LLC v MAJDOUB
Type: COLLECTIONS Date Filed: 10/22/07
Event: CASE MANAGEMENT CONFERENCE
Event: CONTINUED OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED

PLNTFF: PERSOLVE LLC ATTY: PERSOLVE LLC
DEFNDT: MAJDOUB, FIASILI P

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 1/26/09.

3. 1:00 PM Case: CF7869 [M] BANK OF STOCKTON v DARK
Type: BREACH OF CONTRACT Date Filed: 01/15/08
Event: FURTHER CASE MANAGEMENT CONF-CIVIL
Event: CONTINUED OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED

PLNTFF: BANK OF STOCKTON ATTY: ROSS, DAVID K. ESQ
DEFNDT: DARK, JOSHUA G

Tentative Ruling: It appears defendant(s) has filed for bankruptcy protection. The bankruptcy petition front page with filing stamp is ordered filed with this court. The matter is continued for further case management in Dept. 1A at 1:00PM on 3/16/09.

4. 1:00 PM Case: CF7907 [M] J.D. CHRISTY INC v CASTILLO
Type: BREACH OF CONTRACT Date Filed: 02/11/08
Event: FURTHER CASE MANAGEMENT CONF-CIVIL

PLNTFF: J.D. CHRISTY INC ATTY: THOMAS, LAW OFFICES OF RANDY
DEFNDT: CASTILLO, FRED
Service Date/Type: 02/23/08 PER 00/00/00
DEFNDT: CASTILLO, MARIE
Service Date/Type: 02/23/08 PER 00/00/00

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 12/15/08.

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5. 1:00 PM Case: CF8034 [M] LN ACQUISITIONS INC v MARSH
Type: BREACH OF CONTRACT Date Filed: 04/29/08
Event: CASE MANAGEMENT CONFERENCE-CIVIL
Event: CONT'D OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED

PLNTFF: LN ACQUISITIONS INC ATTY: SPIWAK & IEZZA
DEFNDT: MARSH, JAMES C
DBA: ANYTHING SCOUT

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 1/26/09.

6. 1:00 PM Case: CV31707 [S] NORRIED v SQUIRE
Type: INJUNCTION Date Filed: 05/27/05
Priority Info: 170.3 JEM
Event: FURTHER CASE MANAGEMENT CONFERENCE RE
ENTRY OF JUDGMENT

P/TRSTE NORRIED, FLOYD R ATTY: FOLEY, KENNETH M ESQ
I/TRSTE NORRIED REVOCABLE TRUST
P/TRSTE NORRIED, MARILYN ATTY: FOLEY, KENNETH M ESQ
I/TRSTE NORRIED REVOCABLE TRUST
X/COMP: THE SQUIRE TRUST ATTY: MILLER STARR & REGALIA
Service Date/Type: 00/00/00 Answer Date: 02/06/06
DEFNDT: SQUIRE, DANA D ATTY: MILLER STARR & REGALIA
Service Date/Type: 12/30/05 NAR Answer Date: 02/06/06
DEFNDT: SQUIRE, KEVIN ATTY: MILLER STARR & REGALIA
Service Date/Type: 12/30/05 NAR Answer Date: 02/06/06
DEF/XC: VALLEY SPRINGS HOME CENTER LLC ATTY: MILLER STARR & REGALIA
Service Date/Type: 12/30/05 NAR Answer Date: 02/06/06
RP/INT: NORRIED FAMILY PROPERTIES LP ATTY: FOLEY, KENNETH M ESQ

Tentative Ruling: Plaintiff has repeatedly failed to comply with the court's orders to prepare and submit a judgment in this matter. The clerk is directed to prepare a judgment in conformity with paragraphs 1 and 2 of page 2 of the April 9, 2007 Order and submit to the judge for signature. Thereafter, the clerk shall notice entry of judgment.

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7. 1:00 PM Case: CV33187 [S] DECOQUE v MCKEEMAN/PEASLEE
Type: DEBT/PROMISSORY NOTE Date Filed: 11/09/06
Priority Info: STAYED-BANKRUPTCY
Event: FURTHER CASE MANAGEMENT CONF-CIVIL
STATUS OF BANKRUPTCY

PLNTFF: DECOQUE, J TROY ATTY: FOLEY, KENNETH M ESQ
PLNTFF: DECOQUE, JULIE ATTY: FOLEY, KENNETH M ESQ
DEFNDT: MCKEEMAN, GARY LEE
Service Date/Type: 12/05/06 PER 00/00/00
DEFNDT: PEASLEE, LAURA RENEE
Service Date/Type: 12/05/06 PER 00/00/00

Tentative Ruling: It appears defendant(s) has filed for bankruptcy protection. The bankruptcy petition front page with filing stamp is ordered filed with this court. The matter is continued for further case management in Dept. 1A at 1:00PM on 3/16/09.

8. 1:00 PM Case: CV33616 [S] JOHN v LOOK
Type: OTHER NON PI, PD, WD TORT Date Filed: 04/12/07
Event: FURTHER CASE MANAGEMENT CONF-CIVIL
09/30/08 10:00 1 PLAINTIFF'S MOTION FOR LEAVE TO FILE
AMENDED COMPLAINT

PLNTFF: JOHN, JASON ATTY: HYPPA, RICHARD G. ESQ
DEFNDT: LOOK, SHERRY ATTY: FOLEY, LAW OFFICES OF KENNETH
Service Date/Type: 00/00/00 Answer Date: 12/19/07
DEFNDT: LOOK, HAROLD

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. (Harold Look) Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 1/26/09.

9. 1:00 PM Case: CV34051 [S] BYERS v BULLER
Type: REAL PROPERTY Date Filed: 09/11/07
Event: FURTHER CASE MANAGEMENT CONF-CIVIL
Event: CONTINUED OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED

PLNTFF: BYERS, KRISTINA ATTY: IN PRO PER
DEFNDT: BULLER, DALE
DEFNDT: BULLER, DOLERES

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 1/26/09.

10. 1:00 PM Case: CV34357 [S] JONES v LIMBERATOS
Type: CIVIL COMPLAINT Date Filed: 01/14/08
Event: FURTHER CASE MANAGEMENT CONF-CIVIL

PLNTFF: JONES, WILLIAM SR. ATTY: HEADLEY, FRANCES A. ESQ
DEFNDT: LIMBERATOS, JUDITH ATTY: CHRISTESON, GWENDOLYN ESQ
Service Date/Type: 04/17/08 PUB Answer Date: 05/19/08

Tentative Ruling: The Defendant's Answer was improperly filed as default had previously entered. Absent stipulation at or before the hearing setting aside the default, Defendant's Answer shall be stricken and the Plaintiff shall proceed to judgment. The next Case Management hearing shall be in Dept. 1A at 1:00PM on 12/15/08.

11. 1:00 PM Case: CV34421 [S] PURCELL v WILLIAMS
Type: BREACH OF CONTRACT Date Filed: 02/15/08
Event: FURTHER CASE MANAGEMENT CONF-CIVIL

PLNTFF: PURCELL, GILBERT L. ATTY: BRAYTON PURCELL LLP
DEFNDT: WILLIAMS, TINA
Service Date/Type: 04/11/08 PER 00/00/00
DEFNDT: WILLIAMS, CHARLES
Service Date/Type: 04/14/08 PER 00/00/00

Tentative Ruling: This matter awaits entry of judgment. The matter is continued for further case management, if judgment enters in the interim the following date will be vacated, Dept 1A at 1:00 PM on 1/26/09.

12. **2:00 PM** Case: CV33702 [S] KAUTZ v KAUTZ
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 05/10/07
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

PETNR: KAUTZ, STEPHEN ATTY: LANE DUNCAN & LAMBERTSON
RESP: KAUTZ, LORI ATTY: MCKINLEY, JOHN H. ESQ
Service Date/Type: 06/01/07 PER Answer Date: 02/01/08

Tentative Ruling: Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 12/15/08.

13. 2:00 PM Case: CV33977 [S] OLSEN v OLSEN
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 08/14/07
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

PETNR: OLSEN, DIANE A ATTY: WOOD, DARLENE D ESQ
MINOR: OLSEN MINORS
RESP: OLSEN, CARL S ATTY: CHAVEZ-OCHOA LAW OFFICES INC.
Service Date/Type: 08/21/07 PER Answer Date: 08/28/07

Tentative Ruling: The parties represent a settlement is pending. The proper disclosures have been filed. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 12/15/08.

14. 2:00 PM Case: CV34355 [S] IRWIN v IRWIN
Type: DISSOLUTION WITHOUT MINOR CHILD Date Filed: 01/11/08
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8
10/07/08 11:00 1 DEFAULT OR UNCONTESTED JUDGMENT

PETNR: IRWIN, BETTY A ATTY: BECHELLI, LAW OFFICES
RESP: IRWIN, JOHNNY L
Service Date/Type: 02/11/08 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 12/15/08.

15. 2:00 PM Case: CV34399 [S] FENDER v FENDER
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/04/08
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

Related cases NOT on this calendar: CV34914 ,
PETNR: FENDER, PAMELA C. ATTY: CHAVEZ-OCHOA LAW OFFICES INC.
RESP: FENDER, KERRY S.
Service Date/Type: 04/16/08 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 2:00 PM on 12/15/08.

16. 2:00 PM Case: CV34717 [S] WAID v WAID
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 05/20/08
Priority Info: 170.3 JEM;170.6 DVM CV34709
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW P= 8
170.3 JEM/170.6 DVM
09/24/08 1:30 6 REPORT OF MINORS' COUNSEL; RESP'S OSC RE
AF&C; PETR'S MOTN RE MOD OF CUST/VISIT/
SUPP & PROP CONTROL 170.3 JEM/170.6 DVM
09/24/08 1:30 6 RESP'S OSC RE CHILD/SPOUSAL SUPPORT
(SET FROM D4) 170.3 JEM/170.6 DVM

Related cases NOT on this calendar: CV34709 , CV32387 , CV32402 ,
PETNR: WAID, BILL ATTY: FOLEY, LAW OFFICES OF KENNETH
RESP: WAID, MARNENE ATTY: BECHELLI, LAW OFFICES
Service Date/Type: 05/29/08 PER Answer Date: 06/12/08

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 11/17/08.

17. 2:00 PM Case: CV33981 [S] HILDRETH v HILDRETH
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 08/15/07
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV33741 ,
PETNR: HILDRETH, CHARLOTTE E ATTY: IN PRO PER
RESP: HILDRETH, ANTHONY

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service if this matter is to proceed. Plaintiff has repeatedly failed to appear and has failed to file proof of service as ordered, wherefore unless Plaintiff appears to object or prior to the hearing files a proof of service or declaration of good cause for the lack to service, the matter will be dismissed without prejudice.

18. 2:00 PM Case: CV34429 [S] GIBSON v GIBSON
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/19/08
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV34669 ,
PETNR: GIBSON, REBECCA LYNN ATTY: IN PRO PER
RESP: GIBSON, MITCHELL LEE
Service Date/Type: 02/21/08 NAR 00/00/00

Tentative Ruling: The Default of the respondent has been entered. Petitioner must go to the clerk's filing window to schedule a "Default Prove-Up" hearing. Petitioner must attend that brief hearing and submit the Judgment (FL-180) and Notice of Judgment (FL-190) papers. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 12/15/08.

19. 2:00 PM Case: CV34442 [S] STARR v STARR
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/21/08
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV35057 ,
PETNR: STARR, JASON P ATTY: IN PRO PER
RESP: STARR, ANNIE M
Service Date/Type: 02/22/08 PER 00/00/00

Tentative Ruling: There is no written custody agreement in the file. There is no Tentative Ruling on this case. The parties, or their legal counsel if represented, are ordered to appear.

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20. 2:00 PM Case: CV34444 [S] SKAAR v SKAAR
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/22/08
Priority Info: CUSTODY/VISITATION BIFURCATED
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: SKAAR, CAROLYN C. ATTY: IN PRO PER
RESP: SKAAR, R. JASON ATTY: IN PRO PER
Service Date/Type: 00/00/00 Answer Date: 04/21/08

Tentative Ruling: The parties represent there is a settlement pending. Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. This matter may be concluded by a Marital Settlement Agreement ("MSA") of the parties attached to the Judgment (FL-180). After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 12/15/08.

21. 3:00 PM Case: CV33040 [S] LAFAVER v LAFAVER
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 09/29/06
Event: FURTHER SETTLEMENT CONF/TRIAL SETTING

PETNR: LAFAVER, TOM ATTY: CALDERWOOD, BRUCE G ESQ
RESP: LAFAVER, ELIZABETH ATTY: AIROLA, STEVEN J ESQ
Service Date/Type: 12/15/06 PER Answer Date: 01/31/07

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.

22. 3:00 PM Case: CV34193 [S] CLARK v DENNIS
Type: PETITION FOR CUSTODY & SUPPORT Date Filed: 11/02/07
Priority Info: *170.3 JEM/DVM* *170.6 TAS*
Event: SETTLEMENT CONFERENCE AND CONTINUED
RESPONDENT'S MOTION RE: CUSTODY AND
VISITATION *170.3 JEM/DVM; 170.6 TAS*
10/23/08 8:30 6 COURT TRIAL RE: CUSTODY
170.3 JEM/DVM; 170.6 TAS

Related cases NOT on this calendar: CV34472 ,
PETNR: CLARK, NICHOLE ATTY: IN PRO PER
RESP: DENNIS, DUSTEN ATTY: IN PRO PER
Service Date/Type: 00/00/00 Answer Date: 07/23/08

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear. Respondent may appear by telephone.

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23. 3:00 PM Case: CV34520 [S] THOMAS v THOMAS
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 03/18/08
Event: SETTLEMENT CONFERENCE/TRIAL SETTING RE
BIFURCATED ISSUE OF CUSTODY
BOTH PARTIES ORDERED PRESENT

PETNR: THOMAS, HAZEL M. ATTY: IN PRO PER
MINOR: THOMAS MINORS P.D.: RUSSO (P.D.), ARLEEN ESQ.
RESP: THOMAS, MICHAEL L ATTY: IN PRO PER
Service Date/Type: 00/00/00 Answer Date: 04/17/08

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.

24. 3:00 PM Case: CV34885 [S] OVERMYER v OVERMYER
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 07/18/08
Event: SETTLEMENT CONFERENCE/TRIAL SETTING ON
BIFURCATED ISSUES OF CUSTODY/VISITATION
11/24/08 2:00 1A CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: OVERMYER, CHRISTINA L ATTY: BECHELLI, LAW OFFICES
RESP: OVERMYER, DANIEL L JR ATTY: IN PRO PER
Service Date/Type: 07/24/08 PER 00/00/00

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.